

Amendment and Response under 37 C.F.R. 1.116

Applicant: David A. Schneider et al.

Serial No.: 10/714,775

Filed: November 17, 2003

Docket No.: 100201175-1

Title: IMAGE PRINTING SYSTEM AND METHOD

REMARKS

The following Remarks are made in response to the Final Office Action mailed January 28, 2008, in which claims 1-30 were rejected.

With this Amendment, claims 1, 8-11, 15, 18-20, 23-27, 29, and 30 have been amended to clarify Applicant's invention and correct informalities. Claims 1-30 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

Claims 1-15 and 17-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eisenberg et al. US Patent No. 6,452,694 in view of Nguyen et al. US Publication No. 2004/0019848.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eisenberg et al. US Patent No. 6,452,694 in view of Nguyen et al. US Publication No. 2004/0019848 and further in view of Kinjo US Publication No. 2003/0067631.

With this Amendment, independent claim 1 has been amended to clarify that **"the graphics application is adapted to print the image graphics data to an edge of the print area," "wherein the extension area extends from and is removable from the edge of the print area," and "wherein the extension area extends an entire dimension of the edge of the print area."**

With this Amendment, independent claim 11 has been amended to clarify that printing, via the graphics application, the image graphics data to a print area of a media object includes **"printing the image graphics data to an edge of the print area," "wherein the extension area extends from and is removable from the edge of the print area," and "wherein the extension area extends an entire dimension of the edge of the print area."**

With this Amendment, independent claim 20 has been amended to clarify that the instruction set causes the processor to **"print the image graphics data to an edge of a print area of a media object," "wherein the extension area extends from and is removable from the edge of the print area," and "wherein the extension area extends an entire dimension of the edge of the print area."**

With this Amendment, independent claim 26 has been amended to clarify that the image printing system includes **"means for printing the image graphics data to an edge of**

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a print area of a media object," "wherein the extension area extends from and is removable from the edge of the print area," and "wherein the extension area extends an entire dimension of the edge of the print area."

With respect to the Eisenberg, Nguyen, and Kinjo references, Applicant submits that these references, individually or in combination, do not disclose an image printing system as claimed in independent claim 1, do not disclose an image printing method as claimed in independent claim 11, do not disclose a computer-readable medium as claimed in independent claim 20, and do not disclose an image printing system as claimed in independent claim 26.

In view of the above, Applicant submits that independent claims 1, 11, 20, and 26, and the dependent claims depending therefrom, are each patentably distinct from the Eisenberg, Nguyen, and Kinjo references and, therefore, are each in a condition for allowance. Applicant, therefore, respectfully requests that the rejections under 35 U.S.C. 103 be reconsidered and withdrawn, and that claims 1-30 be allowed.

Withdrawal of Finality

Applicant notes that it is not proper to make an action final where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) (see MPEP § 706.07(a)).

As the Examiner introduced a new ground of rejection (viz., the rejection under 35 U.S.C. 103(a) based on Eisenberg et al. in view of Nguyen et al., and the rejection under 35 U.S.C. 103(a) based on Eisenberg et al. in view of Nguyen et al. and Kinjo), and Applicant neither amended the claims nor was the rejection based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c), Applicant submits that the finality of the present Rejection is premature and not proper. Applicant, therefore, respectfully requests that the finality of the present Rejection be reconsidered and withdrawn.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-30 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan R. Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

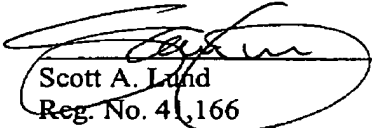
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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 28TH day of April, 2008.

By 
Name: Scott A. Lund